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ACTION WHA-01

INFO	LOG-00	NP-00	AID-00	CEA-01	CIAE-00	CTME-00	INL-01
	DINT-00	DODE-00	ITCE-00	DOTE-00	SRPP-00	DS-00	EB-00
	EXME-00	E-00	FAAE-00	UTED-00	VC-01	FRB-00	H-01
	TEDE-00	INR-00	ITC-01	L-00	VCE-00	AC-01	NSAE-00
	NSCE-00	OES-01	OMB-01	OPIC-01	PA-00	PM-00	PRS-00
	ACE-00	P-00	SP-00	SSO-00	STR-00	TRSE-00	USIE-00
	EPAE-00	PMB-00	DSCC-00	DRL-02	G-00	NFAT-00	SAS-00

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R 032226Z APR 00
FM AMEMBASSY BOGOTA
TO SECSTATE WASHDC 4269
INFO DEPT OF ENERGY WASHDC
USDOC WASHDC

UNCLAS BOGOTA 002826

SENSITIVE

DOE FOR HENRY SANTIAGO, GARY WARD AND DAVID PUMPHREY

STATE PASS USTR - BHARMAN

STATE PASS OPIC AND EXIM FOR AMERICAS DIVISION

USDOC FOR 4331/IEP/OLA/AND/GAISFORD

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E.O. 12958: N/A
TAGS: ECON, EPET, ENRG, EINV, PGOV, CO
SUBJ: U'WA WIN SUSPENSION OF OXY'S EXPLORATION
ACTIVITIES

REF: BOGOTA 1194 AND PREVIOUS

SENSITIVE BUT UNCLASSIFIED. PLEASE HANDLE ACCORDINGLY.

1. (U) ON MARCH 31 A BOGOTA TRIAL JUDGE ORDERED
OCCIDENTAL PETROLEUM (OXY) TO SUSPEND OPERATIONS IN THE
SAMORE BLOCK. HE ISSUED THE ORDER ("TUTELA") IN

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UNITED STATES DEPARTMENT OF STATE
REVIEW AUTHORITY: OSCAR J OLSON
DATE/CASE ID: 18 MAY 2004 200303455

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RESPONSE TO A REQUEST FILED BY THE U'WA INDIANS, WHO CLAIM THAT OXY'S OPERATIONS VIOLATE THEIR FUNDAMENTAL HUMAN RIGHTS (REFTELS). ALBERTO CALDERON, PRESIDENT OF STATE OIL CONCERN ECOPETROL, OXY'S PARTNER ON THE SAMORE PROJECT, SAID PUBLICLY HE WOULD APPEAL THE DECISION BEFORE THE BOGOTA SUPERIOR COURT THE WEEK OF APRIL 3.

3. (SBU) [REDACTED]

[REDACTED] TOLD US THAT IT WOULD BE AT LEAST SIX WEEKS BEFORE THERE WOULD BE A RULING ON THE APPEAL. IN THE MEANTIME OXY WAS OBEYING THE LOWER COURT ORDER, WHICH WOULD IMPOSE SIGNIFICANT COSTS. OXY'S LAWYERS, HE ADDED, TELL HIM THAT THE "TUTELA" IS WITHOUT MERIT, AND THAT THE CHANCES OF OVERTURNING IT ARE GOOD. [REDACTED]

4. (SBU) ASKED ABOUT THE SITUATION ON THE GROUND,
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[REDACTED] SAID THAT PREVIOUS U'WA DEMONSTRATIONS HAD STOPPED FOR THE TIME BEING.

2. (SBU) COMMENT: IT IS PRESUMABLY A GOOD THING THAT THE U'WA-OXY FIGHT IS NOW IN THE COURTS RATHER THAN AT THE SITE, WHERE ONE CHILD MAY HAVE DIED IN THE COURSE OF A CONFRONTATION BETWEEN THE U'WA AND THE POLICE. AT THE SAME TIME OXY'S VEXATION WITH A LEGAL SYSTEM WHERE ITS RIGHTS ARE SEEMINGLY ALWAYS OPEN TO CHALLENGE IS UNDERSTANDABLE. [REDACTED]
NEITHER OXY NOR ECOPETROL/THE GOC ARE GOING TO WALK AWAY FROM SAMORE.

KAMMAN

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